

**AFFIDAVIT OF NONDEVELOPMENT  
AND NONPAYMENT OF DELAY RENTALS**

I, Sarah Lou Burge, of RD 3 Box 33, Cameron, WV 26033, being of lawful age and duly sworn, do hereby depose and state the following:

Affiant hereby states that (he/she) is the owner of an undivided interest in the oil and gas rights under certain lands situate in the District of Cameron, Marshall County, West Virginia, being further described as follows:

Tax Parcel No. Map 8, Parcels 20, 25, 25.1

Bounded formerly or currently as follows:

On the North by lands of John L. Muller et ux; George L. Silver et ux;  
On the East by lands of James Robert Robinson et ux;  
On the South by lands of Alfred Louis Hackathorn Jr.; Alfred Louis Hackathorn Jr.; Scottie L. Lewis;  
On the West by lands of William H. Cumpston Jr. et ux;

And more specifically described in a Deed dated 05/10/10, from O. E. Burge, Sarah Lou Burge & Stephen Burge to O. E. Burge and recorded in Deed Book 701, at Page 146, of the deed records of said county and state.

Affiant further states that during the time of his/her ownership of the aforementioned rights in the above described lands, there **(has/has not)** been various oil and gas leases executed for the purpose of exploring for oil and gas. Affiant is also aware that there may have been other oil and gas leases executed by predecessors in title to the above described lands. Affiant further states that for a period of at least sixteen (16) years there has been no delay rental payments paid to Affiant, in money or otherwise, nor have such payments been deposited to Affiant's credit in any named bank. Affiant further states that **(he/she)** will not accept any delay rental or other payments after the date of execution of this Affidavit that would perpetuate any of said prior leases.

Furthermore, Affiant states that to the best of **(his/her)** knowledge there is no production of oil and/or gas from the above described lands and that **(he/she)** is not aware of any drilling, exploration, or development activities of any nature or kind conducted on said lands. Affiant also states that no production royalties and/or shut-in royalties have been received by Affiant, or any party claiming any prior leases.

Further Affiant sayeth naught.

AFFIANT:

Sarah Lou Burge  
Sarah Lou Burge

Jan Pest  
MARSHALL County 12:41:55 PM  
Instrument No 1297154  
Date Recorded 12/20/2010  
Document Type O&G  
Pages Recorded 1  
Book-Page 718-86  
Recording Fee \$5.00  
Additional \$6.00

Subscribed and sworn to before me on this 2 day of August, 2010

My Commission Expires July 13, 2017

Lisa J. Warren  
Signature/Notary Public  
LISA J. WARREN  
Name/Notary Public (PRINT)

**ACKNOWLEDGMENT**

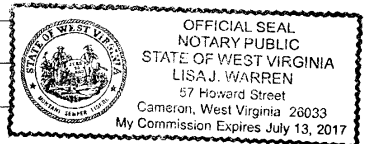
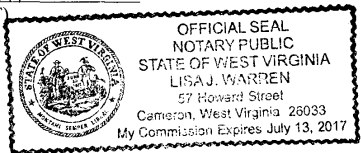
STATE OF WV

COUNTY OF MARSHALL

On this the 2 day of August, 2010, before me, the undersigned authority, personally appeared Sarah Lou Burge, a married woman, who, being duly sworn according to law, deposes and says that he executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Signature/Notary Public Lisa J. Warren  
Name/Notary Public (print): LISA J. WARREN  
My Commission Expires: July 13, 2017



This instrument prepared by: Chesapeake Appalachia, L.L.C., 6100 N. Western Avenue, Oklahoma City, OK 73118

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 2<sup>nd</sup> day of August, 2010, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 20<sup>th</sup> day of December, 2010 at 12:41 o'clock A.M.

TESTE: Jan Pest Clerk.